





UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/871,903	06/04/2001	Ford Oxaal	RP990002US	3784
75	90 07/30/2003			
Westerlund & Powell, P.C. 122 N. Alfred Street Alexandria, VA 22314-3011			EXAMINER HAVAN, THU THAO	
			2679	
			DATE MAILED: 07/30/2003	p

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED

AUG 2 1 2003

Technology Center 2600





APPLICATION NUMBER FILING DATE FIRST NAMED APPLICANT ATTORNEY DOCKET NO. .

09/871, 903

EXAMINER

ART UNIT

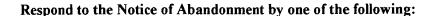
PAPER NUMBER

p #8

DATE MAILED:

This application is abandoned in view of:  Applicant's failure to timely file a proper response to the Office letter mailed on  A response (with a Certificate of Mailing or Transmission of	
A response (with a Certificate of Mailing or Transmission of	
which is after the expiration of the period for response (including a total extension of time ofmonth(s)) which expired on	
A proposed response was received on	
condition for allowance; a Notice of Appeal; or the filing of a continuing application under 37 CFR 1.62 (FWC).  No response has been received.  Applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance.  The issue fee (with a Certificate of Mailing or Transmission of	ıal
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The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a) upon the filing of a continuing application.	·
The decision by the Board of Patent Appeals and Interferences rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.	xd
The reason(s) below:  ABANDONMENT  CONTACT PERSON IS:  TOM HAWKINS	

305-8380



## Petition To Withdraw Holding of Abandonment (See MPEP 711.03(c) I) and 37 CFR § 1.181) No fee required

Where an applicant contends that the application is not in fact abandoned (e.g., there is disagreement as to the sufficiency of the reply, or as to controlling dates), a petition under 37 CFR § 1.181(a) requesting withdrawal of the holding of abandonment is the appropriate course of action. Any petition under 37 CFR § 1.181, to withdraw the holding of abandonment not filed within 2 months of the mail date of a Notice of Abandonment may be dismissed as untimely under 37 CFR § 1.181(f).

In order for a petition to be granted, the evidence must be sufficient according to one of the following

- 37 CFR § 1.8(b) Certificate of Mailing
- 37 CFR § 1.10 "Express Mail" mailing
- MPEP 503 Postcard Receipt as Prima Facie Evidence

Petition To Withdraw Holding Of Abandonment should be addressed as follows:

By mail:

Commissioner For Patents, P.O. Box 1450, Mail Stop: Issue Fee, Alexandria, VA

22313-1450

By facsimile:

703-305-8755 or 703-305-4372

## Petition To Withdraw Holding Of Abandonment Based On Failure To Receive Office (See MPEP 711.03(c) II). No fee required

Where an applicant contends that the original Notice of Allowance and Issue Fee Due was never received. If adequately supported, the Office may grant the petition and remail the Office action. The showing required establishing non-receipt of an Office communication must include a statement from the practitioner stating that the Office communication was not received and attesting to the fact that a search of the file jacket and docket records indicates that the Office communication was not received. A copy of the docket record where the nonreceived Office would have been entered had it been received and docketed must be attached to and referenced in practitioner's statement.

Petition should be addressed to the Technology Center handling the application as follows:

By mail:

Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450

(Mark attention of a particular office or individual)

By facsimile:

Technology Center numbers posted at http://www.uspto.gov/september1/faxnotice.htm

## Petition To Revive An Abandoned Application (See MPEP 711.03(c) III)

Where there is no dispute as to whether an application is abandoned (e.g. the applicant's contentions merely involve the cause of abandonment) a petition under 37 CFR § 1.137 (a) unavoidable or (b) unintentionally (accompanied by the appropriate petition fee) is necessary to revive the abandoned application.

Petitions under 37 CFR § 1.137 should be addressed to the Office of Petitions as follows:

By mail: By hand: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Crystal Plaza 4, Rm. 3C23, 2201 Clark Place, Arlington, VA

By facsimile:

703-308-6916

Petition For Revival Of An Application For Patent Abandoned Unavoidably Under 37 CFR § 1.137(a) and Unintentionally Under 37 CFR 1.137(b), forms available at USPTO website - http://www.uspto.gov

Note: Abandonment takes place by operation of law for failure to reply to an Office action or timely pay the issue fee, not by operation of the mailing of a Notice of Abandonment.